

it was this: When he looked around him and saw the different States in the Union, having a population and territory larger than that of Maryland, and not paying their judges of the Court of Appeals as much as in this State, he thought we ought not to increase their salaries, but should rather diminish them. Taking those views of the matter, he had come to the conclusion that \$2,000 was an adequate compensation, and believing so, he would vote accordingly.

Mr. SPENCER made a few remarks, to show that the amount allowed in the bill was enough, as compared with other States.

Mr. BRENT, of Baltimore city, was not at all alarmed at the calculations made in respect to the economy of other States as regarded their judiciary. Look at the facts, and just come to Baltimore city, and he would tell this Convention, that they could not get any man in Baltimore, who had a fair or decent practice at the bar, who would consent to serve as a Judge on the bench of the Court of Appeals for twenty-five hundred dollars salary. They might get gentlemen from counties, where living is comparatively cheap—where they could get their wood for almost nothing, and raise many of the necessities of life at their own residences. Now, he (Mr. B.) would make a calculation, and give some facts and data. He would put a case of house-keeping in Baltimore to gentlemen. He (Mr. B.) had a very moderate sized house, at a rental of \$500 a year, and he called that a very cheap rent for a man residing in the heart of the city who had a family. Groceries he put at \$250—and he would be glad to pay no more than that. Store accounts, \$500—and he would be pleased to come off as low as that. Education of children, per annum, say \$300—[a laugh]—well, he spoke of a man who had a family, and believed that men of the legal profession, generally, had families and pretty large ones. To this, add for marketing at least \$400; fuel, \$300, and you have a sum total of \$2,250, to say nothing of extras. Now, one Judge in this Court of Appeals, Judge Chambers, had said that he had paid out during one session of the Court of Appeals \$300 for board, when attending Court—the same expense will attend the new court of appeals, and if added to the judge's expenses at home, would make \$2,550, more in fact than his salary. Now, he would repeat, looking at all those expenses, no gentleman in Baltimore, with any practice at the bar, having a family, could afford to accept a judgeship at so low a salary as was proposed to give him. He did not know how the arrangement would operate in Queen Anne's county, or in any county, but he (Mr. B.) would say that so far as Baltimore city was concerned, men only of very mediocre talents could be induced to accept a seat on the bench, and thus our judiciary will actually depreciate. By the old constitution, the judges in Baltimore receive nearly \$5,000 in fees and salary, more than sufficient to secure the highest talent.

Mr. BISER demanded the yeas and nays, which were ordered.

Mr. HICKS said he did know how it struck other gentlemen's minds here, but he thought the Convention was engaged in a matter of very great importance to the people of Maryland. Now, he had no doubt, it might be supposed among many members of the body, inferring from what he had heretofore said concerning legal gentlemen, that he was prejudiced against that class of men. Such, however, was really not the fact; he felt not the slightest prejudice or ill-feeling towards them. On the contrary, he had the highest regard for them in their proper sphere. This was a subject of the deepest interest to the State, and his desire was to see established in Maryland an independent, pure, high-minded and able judiciary. And to obtain this, he was in favor of giving even a higher salary, if necessary, than \$2,500, because he thought the probability of getting first-rate men, upon whom we could rely with the most undoubted confidence, would be the greater. He thought the people were willing to pay them liberally, because they knew that by doing so, they were promoting and protecting their own interests.

Mr. BISER demanded the yeas and nays, which were ordered, and being taken, resulted as follows:

*Affirmative*—Messrs. Dalrymple, Bell, Sherwood, of Talbot, Colston, John Dennis, Miller, Dirickson, McMaster, Fooks, Jacobs, Shriver, Gaither, Biser, Sappington, Stephenson, Nelson, Stewart, of Caroline, Hardcastle, Sherwood, of Balt. city, Fiery, John Newcomer, Harbine, Slicer, Fitzpatrick, Smith, Parke and Shower—28.

*Negative*—Messrs. Ricaud, President pro tem., Morgan, Lee, Chambers, of Kent, Mitchell, Kent, Sellman, Weems, Sollers, Brent, of Charles, Howard, Buchanan, Welch, Ridgely, Crisfield, Dashiell, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Bowie, Tuck, Sprigg, Bowling, Spencer, Grason, George, Wright, Annan, McHenry, Gwinn, Stewart, of Balt. city, Brent, of Balt. city, Schley, Neill, Davis, Anderson, Weber, Hollyday and Brown—41.

So the Convention refused to strike out.

The question then recurred upon the amendment offered by Mr. Brent, of Balt. city, to strike out "two thousand five hundred;" and insert "three thousand."

Mr. BRENT, of Balt. city, observed that he thought the Judges ought to be allowed the highest salaries to secure the best talents in the State, especially as their number was reduced. Gentlemen seemed to be under the impression that there was no difference between the expenses of residing in the city of Baltimore and the country. As to that, there could be no doubt that a city Judge was necessarily put to more expense than one whose duties were discharged in the country.

Mr. BOWIE said, a judge elected for the city of Baltimore might, in order to live cheap, if he pleased, reside in the county. The Constitution required that at the time of his election, the judge should be a resident of the district; but it did not require him to be a resident of it